

REMARKS

In an Office Action mailed on December 18, 2002, claims 1, 6 and 8 were rejected under 35 U.S.C. § 102(b) as being anticipated by Claus; claims 2, 3, 7 and 21-24 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Claus in view of Lee; claims 4, 5 and 9 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Claus; claims 10, 11, 13, 14, 25 and 26 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Zdepski in view of Schneier; claim 12 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Schneier, Zdepski and Lee and further in view of Linehan; claims 15, 16 and 18-20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Claus and Schneier; and claims 17 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Claus and Schneier and further in view of Lee. These rejections are addressed in the corresponding sections below. Newly added claims 27-37 are patentable over the cited art.

Rejections of Claims 1, 3-5, 21 and 22:

As amended, the method of claim 1 includes retrieving a processor number that identifies a processor of the second computer system, encrypting the processor number with a key associated with the first computer system to produce a hash value and providing the hash value to the first computer system in response to the request from the first computer system for identification of the second computer system.

In the rejection of claim 2, the Examiner states that claim 2 is unpatentable over Claus in view of Lee. However, the Examiner provides no support to establish a *prima facie* case of obviousness for rejecting claim 2 and therefore, provides no support for the rejection of currently amended claim 1. In this manner, Claus is directed to a security system that provides a *personal* identification number to an authentication device. This personal identification number is not related to the identity of a processor of the smart card. Rather, the identification is related to the identification of a user.

To establish a *prima facie* case of obviousness, there must be some suggestion or motivation to combine references to derive the claimed invention. M.P.E.P. § 2143. Furthermore, the Examiner must provide a specific citation to language of a prior art reference to support the alleged suggestion or motivation. This is not the case here, as the Examiner fails to

• cite any language supporting an alleged suggestion or motivation to replace the personal identification number of Claus with a number that identifies a processor of the smart card. Not only does the Examiner fail to establish support for such a suggestion or motivation, such a modification would render Claus unsatisfactory for its intended purpose, i.e., identifying a processor of the smart card rather than identifying a user attempting to gain access via the smart card. M.P.E.P. § 2145.XD. Therefore, for at least this reason, allowance of amended claim 1 is requested.

Claims 3-5, 21 and 22 are patentable for at least the reason that these claims depend from an allowable claim.

Rejections of Claims 6-9, 23 and 24:

As amended, the processor of the computer system of claim 6 is adapted to encrypt a processor number that identifies a processor of the first computer system with a key that is associated with another computer system to produce a hash value.

See discussion of claim 1 above. In particular, the Examiner rejected claim 7 as being obvious in view of the combination of Claus and Lee. However, the Examiner fails to establish a *prima facie* case of obviousness for claim 7, whose limitations have been incorporated into claim 6, and therefore, withdrawal of the § 103 rejections of claim 6 is requested. Claims 8, 9 and 23 and 24 are patentable for at least the reason that these claims depend from an allowable claim.

Rejections of Claims 10-14, 25 and 26:

• The article of claim 10 includes a storage medium that is readable by a first processor-based system. The storage medium stores instructions to cause a processor to based on the identification of another processor-based system, selectively authorizing encryption of an identifier that identifies the first system.

• Contrary to the limitations of claim 10, neither Zdepski nor Schneier teaches or suggests instructions to cause the processor to perform this selective authorization. Furthermore, the Examiner provides no support for a suggestion or motivation to modify the Zdepski or Schneier to derive the missing claim limitations. Furthermore, the Examiner fails to provide support for the alleged suggestion or motivation to combine Zdepski and Schneier. Therefore, for at least

these reasons, withdrawal of the § 103 rejection of claim 10 is requested. Claims 11-14, 25 and 26 are patentable for at least the reason that these claims depend from an allowable claim.

Rejections of Claims 15-20:

The Examiner rejects claim 15 under 103(a) as being unpatentable over Claus and Schneier. However, neither Claus nor Schneier teaches or suggests an instruction unit that is adapted to indicate when the instruction unit receives an instruction that requests an identifier that identifies a microprocessor. Furthermore, the Examiner fails to provide support for an alleged suggestion or motivation to combine Claus and Schneier and fails to provide support for a suggestion or motivation to modify either Claus or Schneier to derive the missing claim limitations. Therefore, for at least these reasons, withdrawal of the § 103 rejection of claim 15 is requested. Claims 16-20 are patentable for at least the reason that these claims depend from an allowable claim.

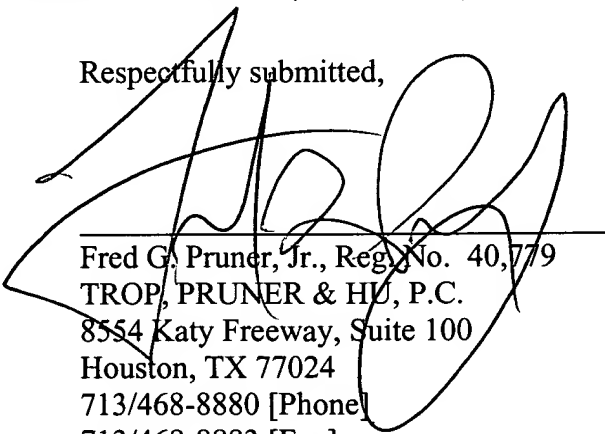
CONCLUSION

In view of the foregoing, withdrawal of the rejections and a favorable action in the form of a Notice of Allowance are requested. The Commissioner is authorized to pay any additional fees or credit any overpayment to Deposit Account No. 20-1504 (ITL.0160US).

Date: _____

1/22/03

Respectfully submitted,


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